

**TOWN COUNCIL  
REGULAR MEETING  
FEBRUARY 18, 1998**

**1. PLEDGE OF ALLEGIANCE**

The meeting was called to order at 7:05 p.m. by Mayor Venis and was followed by the Pledge of Allegiance.

**2. ROLL CALL**

Present were Mayor Venis, Vice-Mayor Santini and Councilmembers Bush, Cox and Kiar. Also present were Town Administrator Flatley, Town Attorney Webber, and Town Clerk Reinfeld recording the meeting.

Mayor Venis announced that Boy Scout Troop 128 was in the audience and was working on a citizenship project.

**3. PRESENTATIONS**

**3.1 WestFair**

Later in the meeting, Vice-Mayor Santini and Councilmember Cox discussed these events.

**3.2 Broward Days (April 8 - 9, 1998)**

This item had been withdrawn.

**3.3 Tree City USA**

Robert Rawls, Assistant Town Administrator, reported that the Town had been recognized as a Tree City USA and presented the award to Council.

**3.4 Davie Merchants and Industrial Association**

Grant Marant, Association President, advised that the Association had passed a resolution requesting that the bridge to be built south of the existing bridge at Davie Road be dedicated to Mason Wachtstetter and he read the resolution.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

**3.5 IRIS Helmets [also see item 7.9]**

Bob Eberhart (and Jalynn Medlin), representing American Medical Response, presented Council with a check for \$17,200 towards the purchase of three of the IRIS systems. Vice-Mayor Santini thanked American Medical Response for helping the Town to save lives.

**3.6 United Way Representatives**

Michael Donati, Fire Chief, advised that a fundraiser to benefit United Way had been held and \$684.28 had been raised. He announced the organizations that had made donations towards the fundraiser. Mayor Venis presented Certificates of Appreciation to the employees who had helped with the fundraiser.

7.9 Dr. Nelson reported on the Town's emergency medical service and the adding of a fourth ambulance. He indicated that the Town was meeting the fractile response time which he explained. Dr. Nelson summarized that the Town's system was a partnership of fire rescue first response and private ambulance transport. He added that the Town delivered consistent, timely response to emergencies and provided high quality protocol driven medical care.

7.9 Deputy Fire Chief Len DePaola demonstrated the IRIS helmet. Councilmember Kiar thanked American Medical Response for the contribution. Vice-Mayor Santini thanked Procurement Manager Herb Hyman for obtaining orders from other municipalities that allowed for a 5% discount.

**3.7 Gessner Park**

Sharon Pierce-Kent, Director of Community Services, responded to concerns regarding Gessner Park which were made at the February 4th Council meeting.

3.8 Americo Pagliughi, Building Plans Examiner - Five Years  
Mayor Venis presented Mr. Pagliughi with a service award.

3.9 Patricia Regner, Police Service Aide - Five Years  
Mayor Venis presented Ms. Regner with a service award.

3.10 Heidi Cavicchia, Administrative Secretary - Ten Years  
Mayor Venis presented Ms. Cavicchia with a service award.

3.11 Elmira Nesbitt, Police Service Aide (Special Assignment) - Ten Years  
Mayor Venis presented Ms. Nesbitt with a service award.

3.12 Community Redevelopment Agency  
Grant Marant, Agency Member, updated Council on the Agency's efforts.

3.13 Upcoming Special Events - Bonnie Stafiej and Sharon Pierce-Kent  
As Ms. Stafiej was not present, Mr. Flatley announced that the Keep Davie Beautiful float will be touring District 2 on February 21st.  
Sharon Pierce-Kent, Community Services Director, announced that upcoming events included: Wellness Program (February 19th); Italian Festival (February 27th); girl's softball opening day (February 28th); and National Pool Water Park Lifeguard Training class (end of March). She announced that the Australian and Swedish national swim teams will be training at the Pine Island Community Center pool.  
Mayor Venis announced that the Fraternal Order of Police Association would be holding its Annual Spaghetti Dinner and Auction on March 28th at St. David Church. He advised that the address and smoke detector programs would begin on March 28th in the Potter Park area and announced the sponsors of the program.

3.14 First Quarter Financial Report  
Christopher Wallace, Director of Budget and Finance, advised that there were no overall surprises for the first three months of the year; however, staff had some concerns with some revenue sources and operating accounts. He stated that these concerns were being pursued. Mr. Wallace reported that while the development review fees had been exceptionally strong and overall, the Town's expenditures were 15% to 17% below expected levels. He indicated that the second quarter was a more important period and adjustments would be made accordingly. Vice-Mayor Santini stated that she expected the Community Services revenues to be higher as the number of participants had increased dramatically. Mr. Wallace responded that staff had no good explanation why these numbers were below what had been anticipated. He advised that staff had scheduled recreation revenue to be reviewed. Mayor Venis indicated that he remembered the revenue situation was similar last year.

3.15 Utility Update - Richard Weiss  
Mr. Weiss indicated that in the negotiations with the City of Sunrise, it was found that Sunrise was unwilling to move enough to make the Town's negotiators feel comfortable in recommending a settlement. He felt that the Town had gone out of its way to negotiate in a civil way to save both municipalities the expense of litigation. Mr. Weiss asked for authorization to move ahead and prepare the case for litigation.  
Vice-Mayor Santini questioned the expense to date on trying to negotiate and what the anticipated expenses to litigate would be. Mr. Weiss responded that most of the work had been completed and in terms of the additional expense, the cost would include preparing documents and getting ready to file suit. He thought the expenses and expected outcome were more appropriate to be discussed in an executive session. Mr. Webber indicated that he thought the first step should be to give notice of the intent to file a lawsuit which would require a meeting to try to resolve the dispute before the lawsuit was filed.  
Mayor Venis said that he thought it was time to give direction on the lawsuit. Councilmember Cox stated that she was in favor of beginning the process with the understanding that Mr. Weiss would meet with Council in an

executive session. Councilmember Bush indicated that he agreed with Councilmember Cox. Councilmember Cox made a motion, seconded by Councilmember Bush, to move ahead with the lawsuit and the litigation involved. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

#### **4. OCCUPATIONAL LICENSES**

4.1 Warren Taylor Installations, 2961 SW 111 Terrace (deferred from February 4, 1998)

The applicant was not present.

4.2 "A" Quality Pressure Cleaning, 14040 SW 14 Street

Tom Robinson, the applicant, was present. He confirmed that the request was for mail and phone use only. Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

4.3 E & M Lawn Service, 14451 SW 24 Street

Mayor Venis announced that the applicant had asked that this item be tabled to March 4, 1998. Councilmember Bush made a motion, seconded by Councilmember Cox, to table [to March 4, 1998]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

4.4 Plug In Electronic & Comp Sys., 13791 SW 18 Court

The applicant was not present.

Mayor Venis advised that item 8.1 needed to be tabled to March 4, 1998.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to table. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

Mayor Venis advised that items 9.7 and 9.13 had been withdrawn by the respective petitioners.

#### **5. MAYOR/COUNCILMEMBER COMMENTS**

##### **COUNCILMEMBER BUSH**

**BASKETBALL CHAMPIONSHIPS.** Councilmember Bush stated that the Town hosted the Big A Boys Basketball Championship and Deerfield Beach had won the tournament.

**GOOD SAMARITAN.** Councilmember Bush stated that the concept of good Samaritans was still alive and announced that an elderly man had found a purse near the Davie/Cooper City Chamber of Commerce. He advised that the purse belonged to one of his neighbors.

##### **VICE-MAYOR SANTINI**

**GROUNDBREAKING.** Vice-Mayor Santini stated that she was excited with the groundbreaking of the redevelopment area.

**FESTIVAL.** Vice-Mayor Santini announced that there would be a Middle Eastern Festival at the St. Phillips Orthodox Church on February 21st and 22nd.

**AWARDS CEREMONY.** Vice-Mayor Santini stated that she attended a ceremony for the girls and boys soccer teams and advised that every child had received a trophy. She thanked the Community Services Department for this event.

**CANDIDATE'S NIGHT.** Vice-Mayor Santini thanked the Davie Merchants and Industrial Association for the Candidate's Night that was held on February 17th.

##### **COUNCILMEMBER COX**

**BROWARD BEAUTIFUL GRANT.** Councilmember Cox stated that the Pine Island Bay Homeowners Association wanted to apply for a grant to provide landscaping for the Association and indicated that a letter was needed from Council requesting the grant. Council had no objections to staff preparing a letter.

**RIDE-A-THON.** Councilmember Cox advised that the Ride-A-Thon raised approximately \$6,700 for the Boys and Girls Club.

**WESTFAIR.** Councilmember Cox stated that she hoped everyone would attend the WestFair events.

**EMERGENCY MEDICAL SERVICE (EMS).** Councilmember Cox stated that at the last Council meeting, an individual spoke dramatically on the Town's privatization of EMS services. She advised that the action Council had taken on the EMS matter was the right thing to do and Council would not do anything that would endanger someone.

## **COUNCILMEMBER KIAR**

**EARL MORRALL.** Mr. Flatley advised that the Town had discussed naming Nova Drive between University Drive and Pine Island Road as Earl Morrall Pass. Vice-Mayor Santini questioned if any street around the Miami Dolphins Training Facility could be named. Mr. Flatley responded negatively as the streets near the facility were private streets.

**CANDIDATE'S NIGHT.** Councilmember Kiar thanked the Davie Merchants and Industrial Association for the Candidate's Night that was held on February 17th.

**SW 8TH STREET.** Councilmember Kiar asked for an update on the traffic light at SW 8th Street. Mr. Flatley replied that information had been sent to Broward County and were awaiting a response. Councilmember Kiar hoped that Council would give a great deal of priority to this location as it was an extremely dangerous location.

**BUILDING PERMITS FOR CHURCHES.** Councilmember Kiar stated that he had a number of calls regarding a rumor on building permits for churches. He advised that it had been the Town's policy to waive fees for building permits, rezonings, and variances for religious institutions and added that the Town had a resolution from 1982 regarding this waiver. Councilmember Kiar questioned if this policy was still in effect and enforceable. Mr. Webber advised that the fees had been set by ordinance and he would need to review the documents.

## **MAYOR VENIS**

**CANDIDATE'S NIGHT.** Mayor Venis thanked the Davie Merchants and Industrial Association for the Candidate's Night that was held on February 17th.

**GROUNDBREAKING.** Mayor Venis stated that Council had attended the groundbreaking of Shenandoah Phase II and advised of the amenities that would be provided.

**OLD DAVIE SCHOOL.** Mayor Venis stated that Council attended a fundraiser for the Old Davie School on February 13th. He advised that the School honored the Griffin Family and congratulated the School and the Griffin Family on the event being successful.

**SURCHARGE.** Mayor Venis advised that sometime in March, he would be in Tallahassee testifying before the legislature on the surcharge that was being charged to the Town's residents by the City of Sunrise.

**YOUNG AT ART MUSEUM.** Mayor Venis stated that he had visited the Museum and announced that the grand opening was scheduled within the next six weeks.

**FUNDRAISERS.** Mayor Venis stated that he had participated in a fundraiser for Muscular Dystrophy Hop-A-Thon held at the St. Bonaventure School. He stated that a wrestling fundraiser would be held on April 4th to benefit Flamingo Elementary School.

Vice-Mayor Santini thanked Mayor Venis for flying to Tallahassee to fight for a residential issue.

## **6. TOWN ADMINISTRATOR'S COMMENTS**

**UPCOMING EVENTS.** Mr. Flatley stated that the grand opening of Growers Ford would be held on February 19th. He added that the cattle drive was scheduled for February 24th and the Orange Blossom Parade would be held on February 28th.

**TOM THUMB SITE.** Mr. Rawls stated that there seemed to be considerable activity on the Tom Thumb site and advised that the project was underway. He added that the Town's median project was also underway and should be completed within 30 days. Mr. Rawls indicated that staff would continue to monitor the project.

## **7. CONSENT AGENDA**

*Minutes*

- 7.1 December 17, 1997 - Workshop Meeting
- 7.2 January 13, 1998 - Special Meeting
- 7.3 January 21, 1998 - Regular Meeting

*Parade Permit*

- 7.4 Hawkes Bluff Elementary School (February 19, 1998; 8:30 a.m. to 10:00 a.m.)
- 7.5 Boys Clubs & Girls Clubs of Broward County (February 24, 1998; 7:00 a.m. to 8:00 a.m.)
- 7.6 Davie/Cooper City Chamber of Commerce (Orange Blossom Parade) (February 28, 1998; 10:00 a.m. to 12:00 noon)

*Resolutions*

**7.7 REALIGNMENT AND WIDENING PROJECT** - A RESOLUTION OF THE TOWN R-98-55 OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH COMCAR PROPERTIES, INC. TO OBTAIN RIGHT-OF-WAY FOR THE OAKES ROAD/BURRIS ROAD REALIGNMENT AND WIDENING PROJECT; ACCEPTING THE CONVEYANCE FROM COMCAR PROPERTIES, INC.; AND PROVIDING AN EFFECTIVE DATE. (tabled from February 4, 1998)

**7.8 EASEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING EASEMENTS FROM CONSTRUCTION ENGINEERS OF FLORIDA, INC. AND MR. JOHN GAUL FOR USE AS PUBLIC UTILITY EASEMENTS; AND PROVIDING FOR AN EFFECTIVE DATE. (4217 Davie Road) (tabled from February 4, 1998)

**7.9 WAIVING FORMAL BIDDING/ACCEPTING BID** - A RESOLUTION OF THE R-98-56 TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING AND ACCEPTING THE BID FROM CAIRNS & BROTHER, INC. AS A SOLE SOURCE SUPPLIER FOR A HELMET MOUNTED THERMAL IMAGING SYSTEM. (Cairns & Brother, Inc. - \$71,250 for three systems; a portion of which is to be paid by American Medical Response)

**7.10 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-98-57 BID FOR HORTICULTURAL CHEMICALS. (lowest responsive and responsible bidder for each item)

**7.11 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-98-58 BIDS FOR ATHLETIC EQUIPMENT. (lowest bidder for each item)

**7.12 BID** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ACCEPTING THE R-98-59 STATE CONTRACT FOR AN AUTOMATED TIME AND ATTENDANCE SYSTEM, STATE OF FLORIDA SNAPS AGREEMENT #195672. (Kronos Incorporated)

**7.13 COLLECTIVE BARGAINING AGREEMENT** - A RESOLUTION OF THE TOWN R-98-60 OF DAVIE, FLORIDA, RATIFYING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE TOWN OF DAVIE AND THE FEDERATION OF PUBLIC EMPLOYEES WHITE COLLAR UNIT.

**7.14 SUPPORTING PRESERVATION 2000** - A RESOLUTION OF THE TOWN OF R-98-61 DAVIE, FLORIDA, EXPRESSING SUPPORT FOR PRESERVATION 2000 AND FOR THE ESTABLISHMENT OF "FOREVER FLORIDA" AS SUCCESSOR TO PRESERVATION 2000.

**7.15 SUBDIVISION PLAT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-62 APPROVING A SUBDIVISION PLAT AND AUTHORIZING THE MAYOR AND TOWN CLERK TO ACKNOWLEDGE SUCH APPROVAL BY AFFIXING THE MAYOR'S SIGNATURE AND THE TOWN SEAL TO SUCH PLAT; AND PROVIDING AN EFFECTIVE DATE. (P 11-1-97,

Berman-Stirling Plat, 5701 Stirling Road) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report and staff's clarification concerning parcel "c"*

**7.16 SUBDIVISION PLAT REVISION** - A RESOLUTION OF THE TOWN OF DAVIE, R-98-63 FLORIDA, AUTHORIZING A REVISION TO THE ORANGEWOOD FARMS PLAT AND PROVIDING AN EFFECTIVE DATE. (DG 1-2-98, 1901 SW 118 Avenue)

**7.17 AGREEMENT** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, R-98-64 AUTHORIZING THE MAYOR TO EXECUTE A FACILITIES RELOCATION AGREEMENT WITH FLORIDA POWER & LIGHT COMPANY TO RELOCATE OVERHEAD FACILITIES FROM DAVIE ROAD. (estimated cost - \$472,937)

**7.18 JOINT ECONOMIC DEVELOPMENT STEERING COMMITTEE** - A RESOLUTION R-98-65 OF THE TOWN OF DAVIE, FLORIDA, AMENDING THE COMPOSITION OF THE JOINT ECONOMIC DEVELOPMENT STEERING COMMITTEE TO INCLUDE A MEMBER FROM THE SOUTH FLORIDA EDUCATIONAL CENTER.

**7.19 POLICE/FIRE/EMS FACILITY** - A RESOLUTION OF THE TOWN OF DAVIE, R-98-66 FLORIDA, APPROVING THE GUARANTEED MAXIMUM PRICE FOR THE NEW POLICE HEADQUARTERS AND FIRE/EMS BUILDINGS.

**7.20 CONVEYANCE OF PROPERTY** - A RESOLUTION OF THE TOWN OF DAVIE, R-98-67 FLORIDA, ACCEPTING THE CONVEYANCE OF PROPERTY BY WARRANTY DEED FROM ROUNTREE TRANSPORT & RIGGING, INC. FOR USE AS A PUBLIC ROAD; AND PROVIDING FOR AN EFFECTIVE DATE

**7.21 SUBORDINATION OF LIEN** - A RESOLUTION OF THE TOWN OF DAVIE, R-98-68 FLORIDA, PROVIDING FOR THE SUBORDINATION OF THE LIEN OF THE TOWN OF DAVIE ON PROPERTY OWNED BY JOLMY ENTERPRISES, INC. WITH RESPECT TO FUTURE MORTGAGE INDEBTEDNESS; AND PROVIDING AN EFFECTIVE DATE.

**7.22 PRE-ANNEXATION AGREEMENT** - A RESOLUTION OF THE TOWN OF R-98-69 DAVIE, FLORIDA, AUTHORIZING THE TOWN OF DAVIE TO ENTER INTO AN ANNEXATION AGREEMENT BETWEEN PARK LTD. AND CURTIS AND MARILYN DEEM (OWNERS), REXMERE LAKE VILLAGE MANAGEMENT CO., INC. AND JAMAICA BAY EAST MANAGEMENT CO., INC. D/B/A PARADISE VILLAGE (MANAGEMENT COMPANIES) AND THE TOWN OF DAVIE, FLORIDA.

**7.23 WAIVING FORMAL BIDDING/ACCEPTING BID** - A RESOLUTION OF THE R-98-70 TOWN OF DAVIE, FLORIDA, WAIVING FORMAL BIDDING FOR LAND MOBILE RADIOS AND RELATED SERVICES, PROVIDING FOR ACCEPTANCE OF AN ALTERNATIVE BIDDING MECHANISM, AUTHORIZING THE PURCHASE OF THE RADIOS AND AIRTIME, AND AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH INDUSTRIAL COMMUNICATIONS AND ELECTRONICS, INC., AND PROVIDING FOR AN EFFECTIVE DATE. (\$53,000 - radios and ancillary equipment/\$1,900 per month - airtime services)

**7.24 WATER AND SEWER RATE STUDY** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING A WATER AND SEWER RATE STUDY; SETTING FEES AND CHARGES BY REDUCING WATER AND SEWER RATES BY \_\_\_\_%; DIRECTING THE TOWN ADMINISTRATOR TO NOTIFY THE CITY OF SUNRISE TO REDUCE WATER AND SEWER RATES ACCORDINGLY, AND SETTING AN EFFECTIVE DATE.

*(amended title)*

A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, ADOPTING A R-98-71 WATER AND SEWER RATE STUDY WHICH WILL REDUCE WATER AND SEWER RATES BY APPROXIMATELY 28%; SETTING A PLACE, TIME, AND DATE FOR A PUBLIC HEARING; AND DIRECTING THE TOWN ADMINISTRATOR TO NOTIFY THE CITY OF SUNRISE TO REDUCE WATER AND SEWER RATES BY APPROXIMATELY 17% ACCORDINGLY.

**7.25 CERTIFYING BILLBOARDS** - A RESOLUTION OF THE TOWN OF DAVIE, FLORIDA, CERTIFYING BILLBOARD SITES PURSUANT TO SECTION 12-238(J)(9) OF THE CODE OF THE TOWN OF DAVIE PURSUANT TO THE REQUEST OF THE BOYS AND GIRLS CLUB OF BROWARD COUNTY, INC. AND GOLD COAST ADVERTISING; AND PROVIDING AN EFFECTIVE DATE.

*Ordinance - First Reading (Public Hearing to be held on March 4, 1998)*

**7.26 DROP PLAN** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AMENDING AND RESTATING ORDINANCE NO. 94-40, CONCERNING THE POLICE OFFICERS' RETIREMENT SYSTEM; PROVIDING FOR A DEFERRED RETIREMENT OPTION PLAN (DROP) WITHIN THE PLAN; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE

**7.27 VARIANCE EXTENSION** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, AUTHORIZING THE MAYOR AND TOWN ADMINISTRATOR TO EXTEND VARIANCES GRANTED, AND/OR TO BE GRANTED, TO PROPERTY OWNERS ALONG GRIFFIN ROAD UNTIL ROADWAY IMPROVEMENTS TO GRIFFIN ROAD ARE COMPLETED, APPROXIMATELY MARCH, 2000, AND PROVIDING AN EFFECTIVE DATE.

Councilmember Cox asked that items 7.15, 7.16, 7.22, and 7.25 be removed from the Consent Agenda. Mayor Venis asked that items 7.8 and 7.24 be removed. Mr. Webber asked that items 7.7 and 7.20. Vice-Mayor Santini asked that item 7.18 be removed.

Town Clerk Reinfeld read the ordinances-first reading by title only. Mayor Venis advised that a public hearing on items 7.26 and 7.27 would be held on March 4, 1998.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve the Consent Agenda without items 7.7, 7.8, 7.15, 7.16, 7.18, 7.20, 7.22, 7.24 and 7.25. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - out of room; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 4-0)

**7.7** Mr. Webber indicated that title examination needed to be completed and asked that this item be approved subject to the title being in satisfactory condition.

Councilmember Bush made a motion, seconded by Councilmember Cox, to approve [subject to the title being in satisfactory condition]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - out of room; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 4-0)

**7.8** Mr. Webber advised that all the signatures had not been obtained and recommended that this item be tabled to the next meeting. Programs Manager Will Allen was in concurrence with the tabling.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to table to March 4, 1998. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

**7.15** Councilmember Cox questioned parcel "c". Gayle Easterling, Planning and Zoning Manager, explained that the original plat submitted previously for a parcel "c"; however, because of the track of variance and site plan, parcel "c" had been eliminated. Dan Fee, representing the petitioner, explained the location of the parcels. Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

**7.16** Councilmember Cox questioned the resolution. Ms. Mellgren explained that the resolution was for a delegation request to change from a lot specific plat to a boundary plat.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.18 Vice-Mayor Santini explained the resolution. Councilmember Bush indicated that the change would make it easier to get a quorum.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.20 Mr. Webber asked that this resolution be approved subject to the title being in satisfactory condition.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve [subject to the title being in satisfactory condition]. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.22 Councilmember Cox questioned if the maintenance of the streetlights and roads were for Rexmere Village and Paradise Village. Mr. Webber replied affirmatively. Councilmember Cox asked if the roads in Paradise Village were currently being maintained by the Town since this property was already in the Town. Mr. Rawls advised that he did not believe the Town maintained any facilities in Paradise Village as they were private and indicated that the agreement clarified that the roadways in Rexmere Village were public roads.

Mr. Webber advised that an amended agreement had been received since the time Council's packet had been prepared and he explained the changes.

Vice-Mayor Santini made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.24 David Brown, Davie Water Advisory Board member, advised that the Board supported the Town's efforts on the City of Sunrise's surcharge. He complimented the Town's Utilities Director Dan Colabella and announced that Dean Alexander had been appointed as the Board's chair. Mr. Alexander reaffirmed the Board's support for the elimination of the surcharge.

Mr. Wallace explained the resolution and announced that a public hearing would be held on March 6th at 5:30 p.m.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

7.25 Councilmember Cox asked for an individual vote on the matter.

Vice-Mayor Santini asked if a map was available to show all the locations of the billboards. Bill Laystrom responded that he did not have a map available and indicated that these signs met the Florida Department of Transportation's standards for distance separations along I-595. Vice-Mayor Santini indicated that as there were a few signs currently along I-595, she would prefer that this item be tabled until a map could be provided. Mr. Laystrom indicated that in order to keep the license agreement active for the Pine Ridge Site, permits needed to be pulled by March 1st. A brief discussion followed.

Councilmember Bush made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - no; Councilmember Bush - yes; Councilmember Cox - no; Councilmember Kiar - yes. (Motion carried 3-2)

## **8. SITE PLANS**

### **8.1 STAFF REQUESTING A TABLING TO MARCH 4, 1998**

SP 8-6-97, Davie Shopping Center, 4400 Weston Road (BP) (tabled from February 4, 1998) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, eliminating the center entrance to the rear, maintaining a minimum of 20 foot landscaping buffer, using natural clay roof tiles, using colors as represented in the color rendering, and providing a color rendering that*



*accurately depicted what would be seen off South Pointe Drive*  
This item was tabled earlier in the meeting.

8.2 SP 9-3-97, Sabal Palms Apts., NW 33 Street, 600 feet east of University Drive (RM 16) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, providing two clusters of three sabal palms with 20 to 25 feet in overall height in front of Building #4 located in the sodded area; relocating oak trees in pool area to side of recreational building; relocate the bald cypress to the south end of the retention area; relocating three maple trees to the south end of the retention area; relocating four wax myrtles to the north end of the retention area; adding two clusters of three sable palms, one cluster at each end, of the retention area; and having the entrance wall and fencing details provided to staff to show consistency with drawing shown at this meeting*

Gus Aguirre and Sam Shapiro, representing the petitioner, were present. Ms. Easterling read the planning report. Vice-Mayor Santini questioned if what was being shown to Council was what would be provided at the time the certificate of occupancy was issued. Mr. Webber responded that the petitioner was bound to what was shown on the plan and they would have to return to Council for any changes. As the ordinances and procedures were currently being revised regarding site plans, he asked for a commitment from the petitioner that they would agree not to make any changes without returning to Council with confirmation being received by the petitioner. Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

8.3 SP 12-8-97, Winston Academy, 7600 SW 35 Street (CF) *Planning and Zoning Division approved subject to the planning report; Site Plan Committee approved subject to the planning report, substituting nine green buttonwoods for nine gumbo limbo, 30 feet on center, as close to the parking lot as possible; adding two 12 to 14 foot high triple Alexander palms in front of the administration building; providing two 12 to 14 foot high triple Alexander palms in front of the pool house as well as surrounding the pool house with Ixora Nora Grants and dwarf schefflera; sod and irrigating areas in phase I that are not under construction; having Phase II seeded with Bahia sod; hedging the property as shown with the exception of the west side of Phase II; addressing the air conditioning units mounted on the walls; providing details for the drains on the roof and the ventilation for skirting and a method of handling rainwater with crickets and scuppers; eliminating car stops; and bringing out a continuous curb to the 16 foot mark*

Manny Synalovski, representing the petitioner, was present. Ms. Easterling read a corrected planning report. Discussion followed on the air conditioning units and portables structures compared to block structures. Vice-Mayor Santini asked if a commitment could be made that the gymnasium could be built as a permanent classroom. Mr. Synalovski responded in the affirmative. He indicated that the gymnasium and pool house/pool equipment building would be built as a CBS structure and his recommendation to the developer was that future buildings be of a CBS system. Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

## **9. PUBLIC HEARINGS**

Mayor Venis opened the public hearing portion of the meeting.

### ***Ordinances - Second and Final Reading***

9.1 **VACATING OF RIGHT-OF-WAY - AN ORDINANCE OF THE TOWN OF DAVIE, 98-10 FLORIDA, VACATING A PORTION OF ROAD RIGHT-OF-WAY FOR SW 55TH AVENUE ADJACENT TO SW 57TH STREET; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.** (VA 9-2-97, First Impression II Lake Owners Association, Inc., 5700 SW 55 Street)  
Town Clerk Reinfeld read the ordinance by title.

Mayor Venis asked if anyone wished to speak for or against the ordinance. As no one spoke, the public hearing

was closed.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - out of room; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 4-0)

#### *Quasi Judicial Items*

**9.2 REZONING** - ZB 9-1-97, BGL Ltd./Helbar Investment Corp., 13290 State Road 84 (from B-2 to B-3) (tabled from January 7, 1998) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to voluntary deed restrictions in addition to considering car wash, dry cleaner, and convenience store after conferring with client and before application was brought back to Council*

Mr. Webber explained the rules concerning the admission of evidence. Town Clerk Reinfeld swore in the witnesses. Gus Zambrano, Planner, read the planning report.

Bill Laystrom, representing the petitioner, explained the rezoning and the deed restrictions recommended by the Planning and Zoning Board.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve subject to the voluntary deed restrictions.

Mayor Venis indicated that he did not want to see a heavy concentration of self-storage facilities in this area and advised that he would not be in favor of approving the rezoning. Discussion followed.

In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

**9.3 REZONING** - ZB 10-3-97, Stor-All, Inc./Morse Operations, Inc., 3700 University Drive (from B-3 to B-3, amending the Master Plan) (tabled from December 17, 1997) *Planning and Zoning Division denied; Planning and Zoning Board denied*

Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial. She indicated that Council should be aware that on the conceptual master plan, the access shown to the service road that fed to University Drive was not consistent with the Town's engineering design standards for safety and operation. Ms. Mellgren recommended that should Council vote to approve the rezoning, the approval be subject to the access points being taken out until the issue was resolved with the Engineering Department.

Bonnie Miskel, representing the petitioner, explained the rezoning and the staff's recommendation of denial. She submitted an excerpt from a study that was prepared by staff for purposes of assessing by property use.

Doug Coomer, representing Kimmley Horne, addressed the traffic issues. Bill Bigger, representing Ed Morse, discussed the property and its limitations.

Vice-Mayor Santini disclosed that she had spoken to the applicant prior to the Council meeting.

Discussion followed with Ms. Mellgren cross-examining Ms. Miskel and Mr. Coomer. Ms. Mellgren advised that should Council consider approving the request, no deed restrictions were attached to the petition and suggested that this item be tabled for two weeks so that restrictions could be negotiated. Ms. Miskel indicated that the petitioner would deed restrict the property to specifically self-storage for the square footage as was proposed on the site plan and any other B-3 use would be eliminated.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Councilmember Cox stated that she would not approve the rezoning with the two proposed egress access points and if Ed Morse wanted to sell the parcel, he needed to provide access from his driveway. Ms. Miskel displayed an alternative access.

Mayor Venis indicated that he had met with the petitioner and had discussed the traffic issue.

Mr. Rawls advised that the Engineering Department had a number of concerns and provided a history of the site. He indicated that staff would like to work further with the petitioner to try to resolve the access issue that would provide some development potential for the parcel without compromising one of the most congested smaller sites in the Town.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Cox made a motion, seconded by Councilmember Kiar, to table to March 4, 1998.

Councilmember Bush disclosed that he had spoken with Ms. Miskel. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.4 REZONING** - ZB 12-2-97, CDI Engineering and Planning/Roth, 5660 Griffin Road (from A-1 to B-2) *Planning and Zoning Division approved; Planning and Zoning Board approved*

Assistant Town Clerk Bergamini swore in the witnesses. Mr. Zambrano read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial.

Dan Fee, representing the petitioner, explained the request.

Mr. Webber asked if anyone wished to provide testimony in favor of or opposition to the rezoning. No one spoke.

Mr. Webber stated that the hearing was concluded.

Vice-Mayor Santini made a motion, seconded by Councilmember Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.5 REZONING** - ZB 12-4-97, Sheridan Hills Baptist Church/Lester and Flack, 2540 Pine Island Road (from A-1 to CF) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to voluntary deed restrictions*

Mr. Webber questioned if anyone would be speaking in opposition to the rezoning. Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren summarized the planning report.

Reverend Mark Coleman, representing the petitioner, explained the request.

Mr. Webber asked if anyone wished to provide testimony on the rezoning.

Robert Munson, 2420 SW 88 Avenue, indicated that he would leave it up to the Town to make sure that appropriate deed restrictions were in place. He asked for consideration for a cut in the median on Pine Island Road and deceleration lanes in both lanes.

Bob Kachenmeister, Minister of the Seventh Day Adventist Church, stated that the Baptist Church would be an asset to the community.

Wilhelmina King, Assistant Principal of Silver Ridge Elementary School, read a letter from Mrs. Kunley in support of the rezoning.

Councilmember Kiar stated that he had a letter dated January 21, 1998 which provided a listing of deed restrictions and asked if this was correct. Reverend Coleman replied in the affirmative.

Mr. Webber stated that the hearing was concluded.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve subject to the deed restrictions. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.6 VARIANCE** - V 10-1-97, BGL Ltd./Helbar Investment Corp., 13290 State Road 84 (B-2) (to reduce the required number of parking spaces from 52 to 19) (tabled from December 17, 1997) *Planning and Zoning Division approved; Planning and Zoning Board approved*

No new witnesses were sworn in. Mr. Zambrano briefly summarized the planning report.

Bill Laystrom, representing the petitioner, was present.

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - no; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 4-1)

**9.7 VARIANCE** - V 11-2-97, Glazer, 3581 SW 116 Avenue (R-1) (to reduce the required side setback from 25 feet to 8 feet) (tabled from February 4, 1998) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved*

This item was withdrawn.

**9.8 VARIANCE - V 12-1-97, D.F. Consultants, Inc./Shell Oil Company, 4801 South State Road 7 (B-3)** (to reduce the required lot size from 52,500 square feet to 40,890 square feet; to reduce the required street setback from 25 feet to 16 feet from edge of canopy to Griffin Road and 19 feet from edge of canopy to South State Road 7; to reduce the required landscape buffer from 20 feet to 10 feet adjacent to South State Road 7 and 11 feet adjacent to Griffin Road; to the required landscape buffer from 10 feet to 1.5 feet along the west limits of the property) *Planning and Zoning Division approved; Planning and Zoning Board approved*  
Town Clerk Reinfeld swore in one witness. Mr. Webber indicated that there appeared to be no opposition to the variance. Ms. Easterling summarized the planning report.  
Bill Duffey, representing the petitioner, was present.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.9 VARIANCE - V 12-2-97, Hicks, 12590 SW 34 Place (R-1)** *Planning and Zoning Division approved; Planning and Zoning Board approved*  
Town Clerk Reinfeld swore in one witness. Mr. Webber indicated that there appeared to be no opposition to the variance. Mr. Zambrano summarized the planning report.  
Mr. Hicks, representing the petitioner, was present. Councilmember Cox made a motion, seconded by Vice-Mayor Santini, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.10 VARIANCE - V 12-3-97, Pille, 6990 SW 58 Court (R-2)** (to reduce the required side setback from 15 feet to 5 feet and to reduce the required rear setback from 25 feet to 5 feet for an accessory structure; to increase the area of occupancy within the required rear yard from 457.5 square feet to 600 square feet) *Planning and Zoning Division approved; Planning and Zoning Board approved subject to 12 inch berming around entire backyard*  
Town Clerk Reinfeld swore in the witnesses. Mr. Webber indicated that there appeared to be no one in opposition to the variance. Ms. Easterling summarized the planning report.  
Don Pille, representing the petitioner, was present.

Mayor Venis advised that he had received a letter and photographs regarding this variance through the mail. Councilmember Cox indicated that she had received a certified letter.  
Vice-Mayor Santini indicated that the question from the neighborhood was whether a business would be run from this home or was the facility for storage. Mr. Pille responded that this was not going to be a business. Ms. Mellgren advised that "that type of business" in this residential area would be prohibited. Mr. Pille stated that he had discussed the request with his neighbors.  
Mr. Webber displayed the photographs and asked Mr. Pille if they accurately depicted his property. Mr. Pille responded that the photographs were of his property and he had no objections to the photographs being introduced into evidence. Mr. Webber advised that the two letters and the photographs would be admitted into evidence. Councilmember Cox advised that she had spoken to Mrs. Rodgers who was the property owner to the west and who was concerned that the building would be used for car repairs. A brief discussion followed.  
Jimmie Rodgers, 5860 SW 70 Avenue, was sworn in and spoke against the variance. Ms. Mellgren indicated that nuisances could be remedied under the Town's Code if Ms. Rodgers wanted to appear as a witness before Code Compliance. She indicated that the building would be limited to 12 feet in height.  
After a brief discussion, Mayor Venis suggested that this item be tabled.

Mr. Webber stated that after the next individual spoke, the hearing was concluded and Council could deliberate. Maria Gonzalez, 5800 SW 70 Avenue, was sworn in and spoke on the number of cars in the petitioner's yard. Mr. Pille indicated that he had stored ten antique cars for a friend who was going through a divorce. He indicated that there would not be more than two cars in the garage and the cars that were driven daily were parked in the yard. Vice-Mayor Santini questioned if the Town could limit the number of cars so that the yard did not look like a parking lot. Ms. Mellgren responded that Council could request the petitioner to make a voluntary restriction. Mr. Pille indicated that he was willing to make the restriction to the four cars that were driven and the two cars in the garage.

After discussing the size of the building, Councilmember Kiar indicated that he would like to see the building.

Councilmember Bush made a motion, seconded by Mayor Venis, to table for two weeks (March 4, 1998). In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.11 VARIANCE** - V 12-4-97, CDI Engineering and Planning/Berman Ranches, Inc., 5591 Stirling Road (B-2) (to reduce the required landscape median width between double parking from 10 feet to 0 feet) *Planning and Zoning Division denied; Planning and Zoning Board approved subject to second conceptual site plan as presented and staff's review of same*

Town Clerk Reinfeld swore in the witnesses. Ms. Mellgren discussed the request and indicated that staff had felt that issues of buffering were not resolved. She stated that because there were also unresolved issues from the residents, staff was recommending a tabling.

Dan Fee and Dennis Perry, representing the petitioner, were present. Mr. Fee advised that the recommendation for tabling could not be accepted because of a tight time table. He stated that the petitioner was willing to continue to work toward resolving the issues that were not germane to the variance as the petitioner went through the site plan process.

Ms. Mellgren read the planning report and stated that the following documents were to be included into the record: the application, the subject site map, planning report, and an aerial.

Mr. Perry advised that the petitioner was more than willing to center the wall along the rear property "on the ten foot setback strip required between there and the parking". He indicated that he needed Council to act on the variance request tonight and the petitioner was more than willing to work out any details with staff.

Mr. Webber asked if anyone wished to speak on the variance.

Cynthia Russell, Willow Lake Ranches, stated that an alternative to the cement wall was a ficus fence. She indicated that she thought there was some way of accomplishing what the petitioner wanted to do while pleasing the residents. Ms. Russell added that no one had discussed this issue with the residents.

Patricia Case, 5600 SW 58 Court, stated that she did not want to see a wall that would take away from the resident's view. She indicated that the residents never had a chance to discuss the issue.

Mr. Webber stated that the hearing was concluded.

Councilmember Cox indicated that the variance was for the parking and the residents were concerned with the buffer area. She recommended that the petitioner meet with the residents on the buffer and indicated that she would be willing to participate in the meeting.

After some discussion, Ms. Mellgren advised that as a compromise, she asked that the buffer that was shown on the alternate plan in light green be changed to dark green so that it was not storm water retention. She stated that staff conceptually agreed with the distribution of the open space but staff wanted the open space to be plantable.

Mr. Perry asked if it would be acceptable if he obtained a certification from a certified landscape architect that a planting schedule, which would be subject to staff's approval, was growable and suitable material. Ms. Mellgren indicated that the petitioner could plant in a ditch, however, it was a question of the quality of what was planted in the ditch.

Mr. Fee advised that the petitioner would agree to pursue the package from the certified landscape architect for review by the Site Plan Committee. He indicated that if the package was not acceptable to the Committee and staff, the petitioner would agree to eliminate the drainage swale. Mr. Fee added that the petitioner would meet with the residents and recommended that representatives from the Town also attend.

Councilmember Kiar made a motion, seconded by Vice-Mayor Santini, to approve subject to the petitioner's statement that they would voluntarily prepare a package certified by a landscape architect as to what could be placed in the retention area and subject to the Site Plan Committee's acceptance of the landscape package or as an alternative, making the Stirling Road green area not a retention area but fully landscapable buffer. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**9.12 VARIANCE** - V 12-6-97, Signature Grand, Ltd., 6900 State Road 84 (M-3, Old Code) (to reduce the required landscape buffer from 30 feet to 9.5 feet) *Planning and Zoning Division approved subject to the planning report; Planning and Zoning Board approved subject to the planning report*

Town Clerk Reinfeld swore in one witnesses. Mr. Zambrano summarized the planning report.

An unidentified man, representing the petitioner, indicated that he thought there was a scrivener's error as "there

was almost 15 feet not 9 feet".

Mr. Webber stated that the hearing was concluded and Council could deliberate.

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to approve. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

*Items requested to be tabled or withdrawn*

**9.13 ITEM WITHDRAWN BY PETITIONER**

REZONING - ZB 12-3-97, Miller, Legg & Associates, Inc./Glassman Development Corporation

This item was withdrawn by the petitioner.

**9.14 PLANNING AND ZONING BOARD TABLED TO FEBRUARY 25, 1998; COUNCIL CAN TABLE TO MARCH 18, 1998**

SPECIAL PERMIT - SE 1-1-98, John's Patio Stones and Sod, Inc./Neaumonitis, 1103 Flaming Road (AG)

Vice-Mayor Santini made a motion, seconded by Councilmember Kiar, to table to March 18, 1998. In a roll call, the vote was as follows: Mayor Venis - yes; Vice-Mayor Cox - yes; Councilmember Bush - yes; Councilmember Kiar - yes; and Councilmember Santini - yes. (Motion carried 5-0)

**10. ORDINANCES - FIRST READING (Public Hearing to be held March 4, 1998)**

**10.1 REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM B-2 TO B-3; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 9-1-97, BGL Ltd./Helbar Investment Corp., 13290 State Road 84) Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing would be held on March 4, 1998.

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing would be held on March 4, 1998.

Councilmember Kiar made a motion, seconded by Councilmember Bush, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

**10.2 REZONING/CONCEPTUAL MASTER PLAN** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, APPROVING APPLICATION ZB 10-3-97 AMENDING ORDINANCE 89-1 BY CHANGING SECTION 1. b. TO PROVIDE FOR A REVISION TO THE APPROVED CONCEPTUAL MASTER PLAN ASSOCIATED WITH THE REZONING APPROVAL; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 10-3-97, Stor-All, Inc./Morse Operations, Inc., 3700 University Drive)

Councilmember Kiar made a motion, seconded by Councilmember Cox, to table to March 4, 1998. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

**10.3 REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO B-2; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-2-97, CDI Engineering and Planning/Roth, 5660 Griffin Road)

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing would be held on March 4, 1998.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

**10.4 REZONING** - AN ORDINANCE OF THE TOWN OF DAVIE, FLORIDA, CHANGING THE

CLASSIFICATION OF CERTAIN LANDS WITHIN THE TOWN OF DAVIE FROM A-1 TO CF; AMENDING THE TOWN ZONING MAP TO COMPLY THEREWITH; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. (ZB 12-4-97, Sheridan Hills Baptist Church/Lester and Flack, 2540 Pine Island Road)

Town Clerk Reinfeld read the ordinance-first reading by title only. Mayor Venis advised that a public hearing would be held on March 4, 1998.

Councilmember Kiar made a motion, seconded by Councilmember Cox, to approve. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

## **11. APPOINTMENTS**

11.1 Davie Water Advisory Board (term expires December 1998; one exclusive appointment: Councilmember Cox) (a minimum of one member shall be a licensed engineer)

Councilmember Cox deferred her appointment.

11.2 Parks and Recreation Advisory Board (term expires August 1998; one exclusive appointment: Vice-Mayor Santini)

Vice-Mayor Santini appointed Dan Belleu.

11.3 Fire Pension Board (affirm John Earle as elected by the Fire Pension Board)

Councilmember Bush made a motion, seconded by Councilmember Cox, to affirm. In a roll call vote, the vote was as follows: Mayor Venis - yes; Vice-Mayor Santini - yes; Councilmember Bush - yes; Councilmember Cox - yes; Councilmember Kiar - yes. (Motion carried 5-0)

## **12. DISCUSSION AND POSSIBLE ACTION**

Mayor Venis questioned the status of the Planning and Zoning Board returning to two meetings per month. Ms. Mellgren responded that the two meetings per month should begin in April due to submission and advertising requirements.

## **13. ADJOURNMENT**

There being no objections or further business, the meeting was adjourned at 1:00 a.m.





